

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4830 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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JALAMSINGH SOMAJI PANDAV

Versus

STATE OF GUJARAT

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Appearance:

MR IS SUPEHIA for Petitioner

MR BY MANKAD for Respondent No. 1, 2

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CORAM : MR.JUSTICE C.K.BUCH

Date of decision: 01/12/98

ORAL JUDGEMENT

The petitioner- Driver Constable of SRP Group:XI has challenged the order of his suspension dated 21.8.1986 at Annex.B to the petition on various grounds and considering the same, this petition was admitted by this Court by issuing Rule.

At the time of hearing this petition finally, learned counsel Mr.Supehia, appearing for the petitioner has submitted that the petitioner was suspended because

of criminal prosecution launched against him and that was the sole ground for his suspension. He further submitted

that as that incident is of June 1986, by now, everything must have been over and, therefore, the petition has impliedly rendered infructuous and the same can be disposed of on this sole ground.

In view of above, petition stands disposed of as having become infructuous. However, it is observed that if the prosecution has resulted into acquittal of the petitioner and if necessary orders are not passed by the department because of pendency of this petition, the department shall pass appropriate orders in consonance with the Rules of the department. Rule is discharged. No orders as to costs.

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